

**Marked Up Version Showing Changes**

1. (Amended) An apparatus for forming an artificial valve to treat gastroesophageal reflux disease comprising:

    a first endoscope to be inserted from the mouth into a body cavity;

    a holding device extending out of the distal end of the first endoscope and holding a point of a digestive wall of the cavity body where the artificial valve is formed;

    a first needle [disposed the oral side of the point,] being moveable [retractable] in a longitudinal direction of [along] the first endoscope and including a sharp end for penetrating the digestive wall from the oral side of the point to the anal side of the point;

    a suture passing through the digestive wall following the first needle;

    and a suture retaining device having a grasping section for grasping the suture after it has passed through the digestive wall.

2. (Amended) The apparatus according to claim 1, further comprising:

    a knot pushing device for moving [pushing] a knot of the suture, which is formed outside the body cavity after the suture has pulled out from the body cavity by the suture retaining device, into the body cavity [retained and formed outside of a body by the suture retaining device].

3. (Amended) The apparatus according to claim 1, wherein the holding device includes two jaws moveable between an opened position and a closed position.

7. (Amended) The apparatus according to claim [1] 6, wherein the first needle and second needle are disposed [in] on the outer periphery of the first endoscope.

8. (Amended) The apparatus according to claim 1, further including a guide member having a through hole is provided side by side with the holding device;

wherein the suture retaining device is moveable in the through hole of the guide member [includes a guide member extendable with the holding device].

9. (Amended) The apparatus according to claim 1, wherein the suture retaining device includes two jaws moveable between [, the two jaws having] an opened [opening] position and a closed [closing] position.

10. (Amended) The apparatus according to claim 1, further comprising a second endoscope, the first needle extended from a [extending out of the] distal end of the second endoscope.

11. (Amended) The apparatus according to claim 1, wherein the first needle is moveable [retractable from the first endoscope on] in a position nearer to the handle section of the endoscope than [the proximal section of] the distal end of the endoscope [holding device] is.

12. (Amended) The apparatus according to claim 1, wherein when the holding device holds the junction of a [the] stomach and a [the] esophagus, and the first needle is positioned in [slightly near] the oral side of the junction.

20. (New) The apparatus according to claim 6, further comprising a second endoscope, wherein the first needle and the second needle extend out of a distal end of the second endoscope.